



05-31-02

G-P/1645

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8-502

WSHU 2010.1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Lichtman et al.
Serial No. 09/802,644
Filed March 9, 2001
Confirmation No. 8528
For METHOD FOR LABELING INDIVIDUAL CELLS
Examiner Weber

Art Unit 1645

May 30, 2002

RESPONSE TO OFFICE ACTION

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TECH CENTER 1600/2900

TO THE ASSISTANT COMMISSIONER FOR PATENTS,

SIR:

This Letter is in response to the Office action dated April 30, 2002. Reconsideration is requested of the restriction of the claims of Group I (claims 1-19 and 34-36), from the claims of Group II (claims 20-29), from the claims of Group III (claims 30-31), from the claims of Group IV (claims 32-33), and from the claims of Group V (claims 37-40).

According to MPEP §803, "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct and independent inventions." In this instance, the subject matter of the Group I, Group II, Group III, Group IV, and Group V claims is sufficiently related that examination of all four groups together would not appear to impose a "serious burden."

Subject to the foregoing traverse, Applicants elect Group I (claims 1-19 and 34-36) for prosecution in this application.

Additionally, the Office requires election of a particular species of dye types as well as a particular species of specific dyes. Applicants elect, with traverse, the dye type of ion sensitive dyes and the specific dye of calcium indicator dyes such as Oregon Green BAPTA 488.

If the Examiner has any questions, or would like to discuss any matters in connection with this response, he is invited to contact the undersigned at (314) 231-5400.

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Please charge any fees or credit any overpayment under 37 C.F.R. 1.16 and 1.17 to
Deposit Account No. 19-1345.

Respectfully submitted,

Debra D. Nye

Debra D. Nye, Reg. No. 48,260

SENNIGER, POWERS, LEAVITT & ROEDEL

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